IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6066 OF 2005

Sumitradevi @ Ghasali Ramswarup
Chaurasiya ...Applicant

vs.

State of Maharashtra ...Respondent

Mr.Kuldeep Patil for the Applicant
Ms Rajeshree Gadhvi,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 26,2005

P.C.:

1. Heard Advocate for the Applicant and the learned A.P.P. for State. The learned Advocate for the Applicant states that the Applicant who is a woman has been implicated as co-accused in an offence under Sections 304-B read with Section 34 of the Indian Penal Code.

2. The Applicant is claiming bail on the ground of parity. The claim for parity is based on orders passed by the Sessions Court in favour of the accused No.3 Harishchandra and another co-accused Rakesh.

3. On plain reading of the F.I.R. there is hardly any difference between the role ascribed to the applicant and the role ascribed to co-accused Rakesh. The learned A.P.P. on instructions states that the Applicant is entitled to relief on the ground of parity. A case is made out for enlarging the Applicant on bail.

4. Hence, I pass the following order :

i) The Applicant shall be enlarged on bail in connection with C.R.No.I-129 of 2005 registered with Khopoli Police Station, District Raigad subject to furnishing a personal bond of Rs.15,000/- (Rupees fifteen thousand only) with one or two sureties in the like amount.

ii) Bail is granted subject to the condition that the Applicant will remain present before the Investigating Officer on every Sunday between 4.00 p.m. to 6.00 p.m. till filing of the charge sheet and will co-operate for the purposes of investigation.

iii) The Bail is granted subject to condition that the Applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence.

iv) The Applicant shall cooperate with the learned Trial Judge for expeditious disposal of the trial. Any attempt by the Applicant to delay the trial may be a ground for cancellation of bail.

v) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vi) Application is disposed of in above terms.

vii) Parties to act upon an authenticated copy of this order.

JUDGE